

JOURNAL OF THE SENATE [May 6, 1971]

STATE OF WISCONSIN

Senate Journal

Eightieth Session

THURSDAY, May 6, 1971.

9:00 o'clock A.M.

The senate was called to order by the president of the senate.

The prayer was offered by Senator Swan.

LEAVE OF ABSENCE

By request of Senator Chilsen, with unanimous consent, Senator Cirilli was granted a leave of absence for the balance of this week.

The roll was called and the following senators answered to their names:

Senators Bidwell, Busby, Chilsen, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.

Absent with leave—Senators Cirilli and Krueger—2.

AMENDMENTS OFFERED

Senate substitute amendment 1 to Senate Bill 31 by Senators Hollander, Lorge, Krueger, Risser, Peloquin, Roseleip, Dorman, Steinhilber, Thompson, Whittow, Schuele, Heinzen, Martin, Johnson and Lotto.

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Senate amendment 1 to **Senate Bill 281** by Senator Heinzen.

Senate amendment 1 to **Senate Bill 300** by Senator Hollander.

Senate substitute amendment 1 to **Senate Bill 333** by Senators Peloquin and LaFave, at the request of the Wisconsin Council of Counties and Municipal Employees, The Wisconsin Professional Policemens' Association and the Wisconsin Professional Firefighters' Association.

Senate amendment 1 to **Senate Joint Resolution 41** by Senator Swan.

Senate amendment 1 to **Senate Bill 346** by Senators Roseleip and Schuele.

Senate amendment 1 to **Senate Bill 436** by Senator Cirilli.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 482

Relating to definition of "employment" under the unemployment compensation law.

By Senators Swan and Martin; co-sponsored by Representatives Shabaz, Tregoning, Wackett, Swoboda and Gaulke.

To committee on Commerce, Labor, Taxation, Insurance and Banking.

Senate Bill 483

Transferring county and city liability for mob damage to the state.

By Senators Whittow, Cirilli, Lotto and Parys; co-sponsored by Representatives Brown, Schroeder, Wahner and Pabst.

To committee on Housing and Urban Development.

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Senate Bill 484

Relating to making an appropriation for the repair of homes for needy veterans.

By Senators Roseleip, Busby and Heinzen; co-sponsored by Representatives Conradt, Looby, Schneider, Mato, Mohn, Oberle, Klicka, Byers, Schwefel and Atkinson.

To committee on Governmental and Veterans' Affairs.

Senate Bill 485

Relating to instruction in American history and government in grades 7 to 12.

By Senators Roseleip and Busby; co-sponsored by Representative Conradt.

To committee on Education.

Senate Bill 486

An act to temporarily waive certain requirements for foreign physicians to practice in Wisconsin for Dr. Ronald Suss.

By Senators Bidwell and Lorge.

Read first time.

Senator Bidwell asked unanimous consent that the rules be suspended and that **Senate Bill 486** be taken up at this time.

Senator Keppler objected.

By request of Senator Keppler, with unanimous consent, the senate recessed for 10 minutes.

9:15 A.M.

RECESS

9:25 A.M.

The senate reconvened.

By request of Senator Keppler, with unanimous consent, the rules were suspended and **Senate Bill 486** was taken up at this time.

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Senate Bill 486

Read a second time.

Ordered to a third reading.

By request of Senator Keppler, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 486

Read a third time and passed.

Ordered immediately messaged.

Senate Bill 487

Relating to establishment of an academy for training law enforcement officers.

By Senators Murphy and Soik; co-sponsored by Representatives Sensenbrenner, Azim and Jackamonis, by request of Attorney General Robert W. Warren.

To joint committee on Finance.

Senate Bill 488

Relating to updating accreditation of schools for veterans reimbursements.

By Senators Soik, Murphy, Lotto, Devitt, Parys, Keppler, Martin, Schuele, Kendzierski, Lourigan, Hollander, Roseleip, Whittow and Frank; co-sponsored by Representatives Sensenbrenner, Tregoning, Schricker, Atkinson, Mittness, Mato, Gaulke, O'Malley and Early.

To committee on Education.

COMMITTEE REPORT

The committee on Health and Social Services reports and recommends for introduction:

Senate Bill 489

Relating to payment of aid to families with dependent children in foster homes or child-caring institutions.

Introduction; Ayes. 5; Noes. 0.

Read first time and referred to committee on Health and Social Services.

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Senate Bill 490

Relating to the purchase of care and services by and between county public welfare agencies.

Introduction; Ayes, 5; Noes, 0.

Read first time and referred to committee on Health and Social Services.

JAMES C. DEVITT,
Chairman.

PETITIONS AND COMMUNICATIONS

Senate Petition 92

A petition by 162 residents of the 29th Senatorial District urging opposition to Senate Bill 266, relating to prohibiting studded tires.

Introduced by Senator Chilsen.

Read and referred to committee on Transportation.

Senate Petition 93

A petition by the Public Assistance Coalition, 48 signatures, protesting the legislative decrease in AFDC grants, abolition of three AFDC categories, and restricted eligibility for Medical Assistance.

Introduced by Senator Thompson.

Read and referred to joint committee on Finance.

Senate Petition 94

A petition by 70 residents of the 25th District urging the continued use of studded tires in the state of Wisconsin.

Introduced by Senator Cirilli.

Read and referred to committee on Transportation.

Senate Petition 95

A petition by 164 residents of Oneida, Vilas, Lincoln, Clark and Fond du Lac Counties, to take immediate action to assure the continued use of studded tires in the State of Wisconsin.

Introduced by Senator Krueger.

Read and referred to committee on Transportation.

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MESSAGE FROM THE ASSEMBLY

By Thomas P. Fox, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in:

**Assembly Bill 271,
Assembly Bill 289,
Assembly Bill 315,
Assembly Bill 331,
Assembly Bill 346,
Assembly Bill 353,
Assembly Bill 371,
Assembly Bill 374,
Assembly Bill 383,
Assembly Bill 385,
Assembly Bill 400 and
Assembly Bill 431.**

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 271

Prohibiting the use of lie detector tests by employers and providing a penalty.

By Representatives Nager, Wahner, Tobiasz, Grover, Rogers, Conta, Ferrall, Gaulke, O'Malley, Vanderperren, Lipscomb, McCormick, Molinaro, Atkinson, Earl and Miller.

Read first time and referred to committee on Judiciary.

Assembly Bill 289

Relating to collection of a fee from persons for whom the family court commissioner drafts legal instruments affecting marriage.

By Representatives McCormick, Brown, Wilcox, Sicula, Rutkowski, Pabst, T. G. Thompson, Sensenbrenner, Shabaz and Jackson, by request of Milwaukee County.

Read first time and referred to committee on Judiciary.

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Assembly Bill 315

Relating to local authorities adopting state traffic regulations incorporating by reference, amendments to the state traffic laws.

By Representatives Azim and Earl, by request of the League of Wisconsin Municipalities.

Read first time and referred to committee on Transportation.

Assembly Bill 331

Relating to an increase in witness' and interpreters' mileage fee in court actions.

By Representatives Bolle, Vanderperren, O'Malley, Tobiasz, Otte, Helgeson, Froehlich and Shabaz; co-sponsored by Senator Martin.

Read first time and referred to committee on Judiciary.

Assembly Bill 346

Relating to restrictions on fox hunting.

By Representatives Hephner and Mittness.

Read first time and referred to committee on Natural Resources.

Assembly Bill 353

Relating to publication of notice in matters relating to minor children.

By Representatives McCormick and Sicula, by request of Milwaukee County.

Read first time and referred to committee on Judiciary.

Assembly Bill 371

Relating to changes in workmen's compensation law recommended by the council on workmen's compensation.

By committee on Labor, by request of Workmen's Compensation Advisory Council.

Read first time and referred to committee on Commerce, Labor, Taxation, Insurance and Banking.

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Assembly Bill 374

Relating to taxing pipelines for transmitting liquids and slurry.

By Representatives Dueholm, Schneider, Mielke, Hephner and G. K. Johnson, by request of the Department of Revenue.

Read first time and referred to committee on Commerce, Labor, Taxation, Insurance and Banking.

Assembly Bill 383

Relating to bringing roads on institution grounds in counties of 500,000 or more within the definition of "highway."

By Representatives Lynn and Kleczka, by request of Milwaukee County.

Read first time and referred to committee on Transportation.

Assembly Bill 385

Relating to judgments without actions.

By Representatives Sanasarian, Brown, Ferrall, Bultman, Boeckmann, Tobiasz, Rutkowski, Jackamonis and Otte; co-sponsored by Senators McKenna, Thompson and Devitt.

Read first time and referred to committee on Judiciary.

Assembly Bill 400

Relating to court permission to marry.

By Representatives Czerwinski, Barbee and Wilger, by request of Milwaukee County.

Read first time and referred to committee on Judiciary.

Assembly Bill 431

Relating to distribution dates as to property tax credits.

By committee on Taxation, by request of the Department of Revenue.

Read first time and referred to committee on Commerce, Labor, Taxation, Insurance and Banking.

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RULING OF THE CHAIR

On Tuesday, May 4, Senator Hollander raised a point of order that **Senate Bill 204** requires a fiscal note. The chair took the point of order under advisement.

Senate Bill 204 relates to furnishing chiropractic treatment under workmen's compensation laws.

Upon close examination of this bill it appears that the language of the bill is in terms of alternates and not duplication. In checking this matter further with the chairman of the Department of Labor, Industry and Human Relations, as to whether or not there would be additional finances involved the chairman replied, "I can not see where this will result in an increase in staff load because the bill calls for a substitution of services." Therefore it is the opinion of the chair that **Senate Bill 204** does not require a fiscal note.

MARTIN J. SCHREIBER,
Lieutenant Governor,
President of the Senate.

Senate Bill 204,

Relating to furnishing chiropractic treatment under workmen's compensation laws.

Senator Soik appealed the ruling of the chair.

The ayes and noes were required and the vote was: ayes, 20; noes, 10; absent or not voting, 3; as follows:

Ayes—Senators Busby, Devitt, Dorman, Frank, Johnson, Kendzierski, LaFave, Lipscomb, Lorge, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Roseleip, Schuele, Swan, Thompson and Whittow—20.

Noes—Senators Chilsen, Heinzen, Hollander, Keppler, Knowles, Knutson, Lotto, Murphy, Soik and Steinhilber—10.

Absent or not voting—Senators Bidwell, Cirilli and Krueger—3.

So the ruling of the chair was sustained.

Senate Bill 204

The bill was ordered to a third reading.

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By request of Senator Keppler, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 204

Read a third time and passed.

Ordered immediately messaged.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature
Know you by these presents:

Whereas, Evan P. Helfaer of Whitefish Bay has recently presented to the Medical College of Wisconsin a gift of \$1,000,000 toward the building of a new medical education building; and

Whereas, generosity with the proceeds he earned from Lakeside Laboratories is nothing new to Mr. Helfaer, his gifts to a variety of causes amounting to something in the nature of \$4 or \$5 million; and

Whereas, the generosity and concern for the public displayed by Mr. Helfaer are deserving of recognition; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Soik and Representative Sensenbrenner, under Joint Rule 26, do commend Evan P. Helfaer on his outstanding record of contributions.

Read and adopted.

Senator Soik asked unanimous consent to withdraw **Senate Bill 405** from the committee on Commerce, Labor, Taxation, Insurance and Banking and refer the bill to the joint Survey committee on Tax Exemptions.

Senator Parys objected.

CALENDAR OF APRIL 14

Assembly Bill 89

Relating to lease or sale of space above and below municipal real estate.

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The question was: Adoption of senate amendment 6?

By request of Senator LaFave, with unanimous consent, senate amendment 6 was returned to the author.

Senator LaFave requested unanimous consent to refer Assembly Bill 89 to joint committee on Finance.

Senator Risser objected.

Senator LaFave moved that Assembly Bill 89 be referred to joint committee on Finance.

Senator Whittow moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

The roll was called and the following senators answered to their names:

Senators Bidwell, Busby, Chilsen, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.

Absent with leave—Senators Cirilli and Krueger—2.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 19; absent or not voting, 2; as follows:

Ayes—Senators Bidwell, Devitt, Heinzen, Kendziorski, Knutson, LaFave, Lorge, Murphy, Roseleip, Soik, Steinhilber and Swan—12.

Noes—Senators Busby, Chilsen, Dorman, Frank, Hollander, Johnson, Keppler, Knowles, Lipscomb, Lotto, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—19.

Absent or not voting—Senators Cirilli and Krueger—2.

So the motion failed.

The question on which the call of the house was put having been decided the call was raised.

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Senator Dorman in the chair.

10:30 A.M.

President of the senate in the chair.

10:50 A.M.

Senator Hollander requested unanimous consent to send Assembly Bill 89 to joint committee on Finance.

Senator Risser objected.

Assembly Bill 89

Ordered to a third reading.

By request of Senator Keppler, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 89

Read a third time.

Senator LaFave moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

The roll was called and the following senators answered to their names:

Senators Bidwell, Busby, Chilsen, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.

Absent—None.

Absent with leave—Senators Cirilli and Krueger—2.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 8; absent or not voting, 1; paired, 2; as follows:

Ayes—Senators Chilsen, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Knowles, Knutson, Lipscomb, Lotto, Lourigan, McKenna, Martin, Parys, Peloquin, Ris-

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ser, Roseleip, Schuele, Soik, Thompson and Whittow—22.

Noes—Senators Bidwell, Busby, Devitt, Keppler, LaFave, Lorge, Steinhilber and Swan—8.

Absent or not voting—Senator Krueger—1.

Paired—Senator Cirilli for the bill; Senator Murphy against the bill—2.

So the bill passed.

Ordered immediately messaged.

The question on which the call of the house was put having been decided the call was raised.

Senate Bill 10

Relating to permitting certain relatives of the half blood to marry.

Read a second time.

By request of Senator McKenna, with unanimous consent, the bill was re-referred to the committee on Judiciary.

Senate Bill 12

Relating to fiscal notes on bills with local government fiscal effect.

Read a second time.

By request of Senator Dorman, with unanimous consent, Senate Bill 12 was returned to the author.

Senate Bill 17

Relating to the rights of children born by means of artificial insemination.

Read a second time.

The question was: Indefinite postponement?

Indefinite postponement refused.

Senator Kendziorski in the chair.

11:20 A.M.

Senate amendment 1 offered by Senator Risser.

Senator Swan moved rejection.

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Senate amendment 1 rejected.

Senate Bill 17

The ayes and noes were demanded and the vote was: ayes, 19; noes, 12; absent or not voting, 2; as follows:

Ayes—Senators Dorman, Frank, Heinzen, Kendziorski, Keppler, Knowles, Lipscomb, Lotto, Murphy, Parys, Pelouquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—19.

Noes—Senators Bidwell, Busby, Chilsen, Devitt, Hollander, Johnson, Knutson, LaFave, Lorge, Lourigan, McKenna and Martin—12.

Absent or not voting—Senators Cirilli and Krueger—2.

The bill was ordered to a third reading.

By request of Senator Keppler, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 17

Read a third time and passed.

Senate Bill 67

Relating to mandatory imprisonment for possession of a firearm in certain crimes.

Read a second time.

Ordered to a third reading.

President of the senate in the chair.

11:40 A.M.

By request of Senator Keppler, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 67

Read a third time and passed.

Senate Bill 73

Relating to depositions in Milwaukee County.

Read a second time.

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The question was: Indefinite postponement?

Senator Lorge moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

The roll was called and the following senators answered to their names:

Senators Bidwell, Busby, Chilsen, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Roseleip, Soik, Steinhilber, Swan, Thompson and Whittow—30.

Absent—Senator Schuele—1.

Absent with leave—Senators Cirilli and Krueger—2.

Senate Bill 73

The question was: Indefinite postponement?

The ayes and noes were demanded and the vote was: ayes, 5; noes, 26; absent or not voting, 2; as follows:

Ayes—Senators Busby, Frank, Kendziorski, McKenna and Murphy—5.

Noes—Senators Bidwell, Chilsen, Devitt, Dorman, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, LaFave, Lipscomb, Lorge, Lotto, Lourigan, Martin, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—26.

Absent or not voting—Senators Cirilli and Krueger—2.

So the motion failed.

Senate Bill 73

Ordered to a third reading.

By request of Senator Keppler, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 73

Read a third time and passed.

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By request of Senator Keppler, with unanimous consent, the senate returned to the 3rd order of business and proceeded through the orders of business.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 21

Commending Judge Richard W. Bardwell for protecting the integrity of his court.

Whereas, Madison Circuit Judge Richard W. Bardwell has decided to continue the order restraining certain Madison physicians from performing non-therapeutic abortions which would be contrary to Wisconsin law; and

Whereas, Judge Bardwell has asserted the integrity and independence of the state court and judicial system from intervention and efforts to control by lower federal courts as witnessed by his proceeding with the matter in progress in his court concerning the above matter despite efforts by fellow judge Doyle to intervene in a matter of legitimate state concern: the question of nontherapeutic abortions; now, therefore, be it

Resolved by the senate, That the senate commend Judge Bardwell for his strong assertion protecting the integrity of his court.

Introduced by Senators Lorge, Devitt, LaFave, Murphy and Lourigan.

Read.

Senator Lorge raised the point of order that **Senate Resolution 21** was privileged.

The chair ruled the resolution was not privileged.

Senator Lorge appealed the ruling of the chair.

Senator Keppler asked unanimous consent to table the appeal of the ruling of the chair.

Senator Risser raised the point of order that an appeal of a ruling of the chair could not be tabled.

The chair took the point of order under advisement.

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INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 491

Relating to instances in which subsequent marriage does not revoke a will.

By Senator Risser, by request of Wade Boardman and George Kroncke, Jr.

To committee on Judiciary.

Senate Bill 492

Relating to deferred payments of real property taxes by persons over 65.

By Senator Steinhilber, by request of Judge Herbert J. Mueller, Winnebago County Court—Branch I.

To committee on Commerce, Labor, Taxation, Insurance and Banking.

Senate Bill 493

Relating to state aid for salaries of certain home school coordinators for Indian students and making an appropriation.

By Senators LaFave, Lorge, McKenna, Thompson and Chilsen; co-sponsored by Representatives Froehlich, Rogers and Grover, by request of Menominee Indian Study Committee.

To committee on Health and Social Services.

Senate Bill 494

Relating to state scholarships for Indians attending private colleges in this state.

By Senators LaFave, Lorge, Peloquin, McKenna, Thompson and Chilsen; co-sponsored by Representatives Froehlich, Grover and Rogers, by request of Great Lakes Inter-Tribal Council and Menominee Indian Study Committee.

To committee on Education.

Senate Bill 495

Relating to Indian scholarships for summer session attendance at universities.

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By Senators LaFave, Lorge, Peloquin, Thompson, McKenna and Chilsen; co-sponsored by Representatives Froehlich, Grover and Rogers, by request of Great Lakes Inter-Tribal Council and Menominee Indian Study committee.

To committee on Education.

Senate Bill 496

Relating to Indian scholarships for part-time enrollment at certain public universities.

By Senators LaFave, Lorge, Peloquin, McKenna, Thompson and Chilsen; co-sponsored by Representatives Froehlich, Grover and Rogers, by request of Great Lakes Inter-Tribal Council and Menominee Indian Study committee.

To committee on Education.

Senate Bill 497

Relating to amounts of and eligibility requirements for Indian scholarships.

By Senators LaFave, Lorge, McKenna, Thompson and Chilsen; co-sponsored by Representatives Froehlich, Grover and Rogers, by request of Great Lakes Inter-Tribal Council and Menominee Indian Study committee.

To committee on Education.

Senate Bill 498

Relating to alterations in membership, and the method of their selection, of the Menominee Indians committee and providing for alternate members and advisors to the committee.

By Senators LaFave, Lorge, Peloquin, McKenna, Thompson and Chilsen; co-sponsored by Representatives Froehlich, Grover and Rogers, by request of Menominee Indian Study committee.

To committee on Governmental and Veterans' Affairs.

Senate Bill 499

Relating to state payment of excess county health costs in small counties and making an appropriation.

By Senators LaFave, Lorge, McKenna, Thompson and Chilsen; co-sponsored by Representatives Froehlich, Grover and Rogers, by request of Menominee Indian Study committee.

To committee on Health and Social Services.

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Senate Bill 500

Relating to administration and financing of relief to needy Indian persons.

By Senators LaFave, Lorge, Peloquin, McKenna, Thompson and Chilsen; co-sponsored by Representatives Froehlich, Grover and Rogers, by request of Menominee Indian Study committee.

To committee on Health and Social Services.

Senate Bill 501

Relating to the construction of a bridge and highway improvements in Menominee county, and making appropriations.

By Senators LaFave, Lorge, McKenna, Thompson and Chilsen; co-sponsored by Representatives Froehlich, Grover and Rogers.

To committee on Transportation.

Senate Bill 502

Relating to state assumption of Menominee county vocational school costs, and making an appropriation.

By Senators LaFave, Lorge, Peloquin, McKenna, Thompson and Chilsen; co-sponsored by Representatives Froehlich, Grover and Rogers.

To committee on Education.

COMMITTEE REPORTS

The committee on Retirement Research reports and recommends for introduction:

Senate Bill 503

(Senator Reuben LaFave, by request of the Retirement Research Committee) Relating to various changes in retirement fund laws and in retirement benefits for persons other than teachers and providing a penalty.

Introduction recommended.

REUBEN LaFAVE,

Chairman.

Retirement Research Committee.

Read first time and referred to joint survey committee on Retirement Systems.

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The committee on Commerce, Labor, Taxation, Insurance and Banking reports and recommends:

Senate Bill 275

Relating to employment agencies.

Indefinite postponement; Ayes, 3; Noes, 2.

Senate Bill 277

Relating to the application of penalties for usury law violations.

Passage; Ayes, 3; Noes, 2.

Senate Bill 405

Relating to corporate income tax violations and income tax declarations.

Indefinite postponement; Ayes, 3; Noes, 2.

GERALD D. LORGE,
Chairman.

By request of Senator Soik, with unanimous consent, Senate Bill 405 was referred to the joint Survey committee on Tax Exemptions.

MESSAGE FROM THE ASSEMBLY

By Thomas P. Fox, chief clerk.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in:

Motion Under Joint Rule 26:

A Joint Certificate of Congratulations by Representatives Mittness, Huber, Molinaro and Jackamonis; co-sponsored by Senators Risser and Thompson for Harry S. Truman on his 87th birthday.

Passed and asks concurrence in:

Assembly Bill 334 and

Assembly Bill 452.

Concurred in:

Senate Bill 39,

Senate Bill 77 and

Senate Bill 486.

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MESSAGE FROM THE ASSEMBLY CONSIDERED

Motion Under Joint Rule 26:

A Joint Certificate of Congratulations by Representatives Mittness, Huber, Molinaro and Jackamonis; co-sponsored by Senators Risser and Thompson for Harry S. Truman on his 87th birthday.

Read and adopted.

By request of Senator Keppler, with unanimous consent, the entire membership of the senate was made co-authors of the Joint Rule 26.

Assembly Bill 334

Relating to compulsory arbitration of labor disputes involving law enforcement personnel in cities of the 1st class.

By Representatives Jackson, Sicula, Orlich, Kleczka, Sanasarian, Berger, Pabst, Hanna, Barbee, Conta, McCormick, Tobiasz, Bultman and Kessler, by request of the Professional Policemens Protective Association.

Read first time and referred to committee on Commerce, Labor, Taxation, Insurance and Banking.

Assembly Bill 452

Relating to crimes committed near county lines.

By Representatives Brown, Mittness and Lipscomb.

Read first time and referred to committee on Judiciary.

MOTIONS

Senator Lorge moved that the use of the senate chambers and the senate hearing rooms on Friday afternoon, May 7, 1971, and Saturday, May 8, 1971, by the Midwestern Conference, Council of State Governments, committee on Justice and Law Enforcement be authorized.

Motion carried.

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By request of Senator Soik, with unanimous consent, **Senate Bill 203** was withdrawn from the committee on Health and Social Services and referred to joint committee on Finance.

By request of Senator Keppler, with unanimous consent, all actions except the action on **Senate Bill 17** were immediately messaged.

RULINGS OF THE CHAIR

The chair ruled that **Senate Resolution 20** is privileged.

Senator Keppler moved that the senate adjourn until 9:00 A.M. May 7th.

Senator Keppler moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

The roll was called and the following senators answered to their names:

Senators Busby, Chilsen, Devitt, Dorman, Frank, Heinzen, Johnson, Kendziorski, Keppler, Knowles, Knutson, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Schuele, Steinhilber, Swan, Thompson and Whittow—26.

Absent—Senators Bidwell, Hollander, LaFave, Roseleip and Soik—5.

Absent with leave—Senators Cirilli and Krueger—2.

Senator Risser moved that the call of the senate be raised.

The ayes and noes were demanded and the vote was: ayes, 14; noes, 13; absent or not voting, 7; as follows:

Ayes—Senators Dorman, Frank, Kendziorski, Lipscomb, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson, Whittow and Mr. President—14.

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Noes—Senators Busby, Chilsen, Devitt, Heinzen, Johnson, Keppler, Knowles, Knutson, Lorge, Lotto, Murphy, Steinhilber and Swan—13.

Absent or not voting—Senators Bidwell, Cirilli, Hollander, Krueger, LaFave, Roseleip and Soik—7.

So the call of the senate was raised.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 15; absent or not voting, 7; as follows:

Ayes—Senators Busby, Chilsen, Devitt, Heinzen, Johnson, Keppler, Knutson, Lorge, Lotto, Murphy, Steinhilber and Swan—12.

Noes—Senators Dorman, Frank, Kendzierski, Knowles, Lipscomb, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson, Whittow and Mr. President—15.

Absent or not voting—Senators Bidwell, Cirilli, Hollander, Krueger, LaFave, Roseleip and Soik—7.

So the motion to adjourn failed.

Senate substitute amendment 1 to **Senate Resolution 20**, offered by Senator Chilsen.

Relating to the senate's 1971-73 budget deliberations and procedures and to the establishment of priorities for expenditure requests of state agencies and departments.

Whereas, the extreme fiscal difficulties of the state pose a very critical problem that requires that stringent counter-measures be taken; now, therefore, be it

Resolved by the senate, That the department of administration is directed to advise the several state departments and agencies on or before May 20, 1971, of the amount of general purpose revenue funds based on most recent revenue estimates that would be available to each department and agency in each year of the 1971-73 biennium if such funds were distributed among the several departments and agencies in the same proportion as in the budget for the 1969-70 fiscal year; and, be it further

Resolved, That all state departments and agencies are directed to establish and submit to the senate on or before June 20, 1971, for each year of the 1971-73 biennium a listing in order of priority of programs it considers essential

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and which can be financed within the funds certified to it by the department of administration; such listing to show the amount of funds allotted to each program and the difference, if any, and the amount of funds requested for each program in the department or agency's original request for funds for the 1971-73 biennium; and, be it further

Resolved, That all departments and agencies are directed to establish and submit to the senate on or before June 10, 1971, a listing in order of priority for each year of the 1971-73 biennium of all expenditures included in its 1971-73 budget requests but not including in the listing required in the preceding paragraph, such listing to show the amounts required for each priority of the expenditures together with any changes from the amounts included in the original budget request; and, be it further

Resolved, That duly attested copies of this resolution be transmitted to the governor and the appropriate head of each state agency and department.

Senator Risser raised the point of order that senate substitute amendment 1 was not a substitute but a simple amendment.

The chair ruled the point of order well taken.

Senator Lorge appealed the ruling of the chair.

Senator Johnson moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

The roll was called and the following senators answered to their names:

Senators Busby, Chilsen, Devitt, Dorman, Frank, Heinzen, Johnson, Kendziorski, Keppler, Knowles, Knutson, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Schuele, Steinhilber, Swan, Thompson and Whittow—26.

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Absent—Senators Bidwell, Hollander, LaFave, Roseleip and Soik—5.

Absent with leave—Senators Cirilli and Krueger—2.

The sergeant-at-arms reported on the call of the senate that Senators Bidwell and Hollander were coming in a few minutes and that the other members could not be located at this time.

The question was: Shall the sergeant's report be accepted?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 13; absent or not voting, 7; as follows:

Ayes—Senators Dorman, Frank, Kendzierski, Lipscomb, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson, Whittow and Mr. President—14.

Noes—Senators Busby, Chilsen, Devitt, Heinzen, Johnson, Keppler, Knowles, Knutson, Lorge, Lotto, Murphy, Steinhilber and Swan—13.

Absent or not voting—Senators Bidwell, Cirilli, Hollander, Krueger, LaFave, Roseleip and Soik—7.

So the sergeant's report was accepted.

Senator Keppler moved a

CALL OF THE SENATE

The chair ruled there were not sufficient seconds.

Senator Lorge appealed the ruling of the chair.

The roll was called and the following senators answered to their names:

Senators Busby, Chilsen, Devitt, Dorman, Frank, Heinzen, Johnson, Kendzierski, Keppler, Knowles, Knutson, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Schuele, Steinhilber, Swan, Thompson and Whittow—26.

Absent—Senators Bidwell, Hollander, LaFave, Roseleip and Soik—5.

Absent with leave—Senators Cirilli and Krueger—2.

The ayes and noes were demanded and the vote was: ayes, 13; noes, 14; absent or not voting, 6; as follows:

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Ayes—Senators Dorman, Frank, Kendziorski, Lipscomb, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—13.

Noes—Senators Bidwell, Busby, Chilsen, Devitt, Heinzen, Johnson, Keppler, Knowles, Knutson, Lorge, Lotto, Murphy, Steinhilber and Swan—14.

Absent or not voting—Senators Cirilli, Hollander, Krueger, LaFave, Roseleip and Soik—6.

So the decision of the chair was not the judgment of the house.

Senators LaFave and Chilsen requested that when the senate adjourned today it do so in honor of Wisconsin's newest county. Menominee Indians and their history in our state date back before 1634. Their home land is now on the famous Wolf River and now the 72nd county of Wisconsin.

Upon motion of Senator Keppler the senate adjourned until 9:00 A.M. May 7, 1971.

1:45 P.M.

INTRODUCTION OF GUESTS

Lieutenant Governor Schreiber introduced Hon. Bill Dougherty, the lieutenant governor of South Dakota.

Senator Frank introduced: 38 students from St. Paul's Lutheran Elementary Schools 7th and eighth grades with Mr. G. Denninger, teacher, from Cudahy, Wisconsin.

Senator Thompson introduced: 56 students from the DeForest Elementary School with Mrs. Wilson and Mrs. Quaglieri, teachers, from DeForest, Wisconsin.

Senator Hollander introduced: 88 students and teachers, Mrs. James Haase, Miss Marjorie Hettwer, Al Klimke and Mr. Malin from Bessie Allen Junior High School, Fond du Lac, Wisconsin.

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Senator LaFave introduced: Mr. John Fossum, Hilary Waukau and Ted Spurrier, members of the Menominee County Highway committee.

Senator Busby introduced: A group of students from Northwest Lutheran School and teacher, Mr. Mueller, from Wauwatosa, Wisconsin.

Senator Knutson introduced: 5 students from St. Gabriel School 8th grade with Sister Lenore from Prairie du Chien, Wisconsin.

Senator Lorge introduced: Virginia Thrall and James H. Bownay, representatives of the Council of State Governments, from Chicago, Illinois.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 486

Correctly enrolled and presented to the Governor on Thursday, May 6, 1971.